

delegates have the authority to perform the Director's actions, as set out in this subpart (see section 2208 of the FERCCA).

§ 839.1206 How do I submit a claim under this subpart?

(a) No specific form is required. Your request must be in writing and contain the following information:

- (1) It must describe the basis for the claim and state the dollar amount you seek to receive;
- (2) It must include your name, address, and telephone number;
- (3) It must include the name, address, and telephone number of your current or last employer;
- (4) It must be signed by you; and
- (5) It must include any information you believe OPM should consider, such as cancelled checks or other evidence of amounts you paid.

(b) Send your claim to: Office of Personnel Management, Retirement and Insurance Service, ATTN: FC Section, Washington, DC 20415-3200

Subpart M—Appeal Rights

§ 839.1301 What if my employer determines my error is not subject to these rules?

(a) Your employer must provide you with a written decision. The decision must include the reason for the decision, and notice of your right to appeal the decision to the MSPB.

(b) If your employer determines that it cannot waive the time limit for making an election under § 839.612, the decision must inform you of your right to ask OPM to review the decision. OPM will advise you in writing of your appeal rights following its review of your employer's decision.

§ 839.1302 What types of decisions can I appeal?

(a) You can appeal to the MSPB a decision that affects your rights and interests under this part, except an OPM decision under subpart L (see § 839.1303). Some examples of decisions are:

- (1) Your employer's determination that your error is not subject to these rules;
- (2) Your employer's determination that you are not eligible to elect re-

tirement coverage under these rules; and

(3) OPM's denial of your request for a waiver of the time limit for making an election.

(b) You may not seek review of a decision under any employee grievance procedures, including those established by chapter 71 of title 5, United States Code, and 5 CFR part 771.

§ 839.1303 Are there any types of decisions that I cannot appeal?

Yes, OPM's decisions under subpart L (Discretionary Actions by OPM) are final and conclusive and are not subject to administrative or judicial review.

§ 839.1304 Is there anything else I can do if I am not satisfied with the way my error was corrected?

(a) Except for claims under subpart L (see § 839.1303), and after exhausting your administrative remedies as set out in this subpart, you may bring a claim against the Government under section 1346(b) or chapter 171 of title 28, United States Code.

(b) You may also bring a claim against the Government under any other provision of law if your claim is for amounts not otherwise provided for under these rules.

PART 841—FEDERAL EMPLOYEES RETIREMENT SYSTEM—GENERAL ADMINISTRATION

Subpart A—General Provisions

Sec.

- 841.101 Purpose.
- 841.102 Regulatory structure for the Federal Employees Retirement System.
- 841.103 Definitions.
- 841.104 Special terms defined.
- 841.105 Administration of FERS.
- 841.106 Basic records.
- 841.107 Computation of interest.
- 841.108 Disclosure of information.
- 841.109 Computation of time.
- 841.110 [Reserved]

Subpart B—Applications for Benefits

- 841.201 Purpose.
- 841.202 Applications required.
- 841.203 Withdrawal of applications.
- 841.204 Deemed application to protect survivors.